

**REGULAR MONTHLY MEETING
PIKE COUNTY BOARD OF COMMISSIONERS
August 26, 2008
6:30 PM**

The Pike County Board of Commissioners held their Regular Monthly Meeting on Wednesday, August 26 2008 at 6:30 pm in the Pike County Commissioners Meeting Room, Zebulon, Georgia. Members present were presiding Chairman Steve Fry, Commissioner Tommy Powers, Commissioner Jake Garner, Commissioner Parrish Swift and Commissioner Roosevelt Willis. Also in attendance was County Attorney Rob Morton. (O.C.G.A. § 50-14-1(e) (2))

CHAIRMAN FRY CALLED THE PIKE COUNTY COMMISSIONERS MEETING TO ORDER AND ASKED EVERYONE TO JOIN HIM IN THE PLEDGE OF ALLEGIANCE TO THE FLAG.

CHAIRMAN FRY CALLED FOR APPROVAL OF THE AGENDA PURSUANT TO O.C.G.A. § 50-14-1(e) (1)

The agenda was amended as follows:

- Omit item G under New Business and allow time under Public Hearing
- Change item "F" under New Business to 'Discuss and First Reading'
- Add Executive Session, Personnel-Planning and Development after Reports from Departments and Authorities
- Move Public Hearing for Centerfield Sports to after New Business
- Move Billy Watson to "A" under New Business
- Add county health insurance, motion of intent to New Business

MOTION

Commissioner Willis made the motion to approve the agenda as amended. Commissioner Swift seconded the motion. 5-0 vote.

CHAIRMAN FRY CALLED FOR APPROVAL OF THE MINUTES OF THE REGULAR MONTHLY MEETING HELD WEDNESDAY, AUGUST 13, 2008 AT 9:00 AM PURSUANT TO O.C.G.A. § 50-14-1(e) (2)

MOTION

Commissioner Powers made the motion to approve the Regular Monthly Meeting minutes held August 13, 2008 as corrected. Commissioner Willis seconded the motion. 5-0 vote.

CHAIRMAN FRY CALLED FOR PUBLIC HEARINGS

A. SE-08-04: Daniel and Stacie Sheppard have submitted an application for a Special Exception of the temporary use of a manufactured home at a construction site. The location is 13.75 acres and is located at 1241 Midway Road in Land lot 224 on the 1st District of Pike County. The property is zoned AR and identified as Tax Map 065-002. The Sheppard's requested the special exception due to the fact that their house burned down and the insurance company wanted to place a temporary trailer on the property.

Chairman Fry opened up the public hearing portion of SE 08-04

Citizens speaking in favor of SE 08-04:

John Hoover spoke as a representative of the Planning Commission and stated the four recommendations of that Board. These recommendations are:

1. Approval of SE 08-04

2. Requested refund of the \$200.00 fee for Special Exception
3. Asked the Tax Assessor's office to prorate the portion of the taxes on the house while it is not livable.
4. Mr. Hoover wanted to know why this was heard, why no 'emergency' clause existed. Mr. Hoover recommended that this be a learning process.

Margie Trammell said that this was addressed a few years ago and said that catastrophic situations shouldn't be required to pay these fees. County Attorney Morton said that the state legislature changed the special exceptions.

Citizens speaking in opposition to SE 08-04:
None.

Chairman Fry then closed the public hearing portion of SE 08-04.

MOTION

Commissioner Powers made the motion refund the \$200.00 fee, pro-rate the taxes for the remainder of the year that the house is unusable, and recommend to the Citizens Advisory Task Force a re-wording of the temporary housing section of 156.048-5(a) (SE 08-04 Daniel and Stacie Sheppard). Commissioner Swift seconded the motion. 5-0 vote.

CHAIRMAN FRY CALLED FOR REPORTS FROM COMMISSIONERS, DEPARTMENTS AND COMMITTEES-MONTHLY REPORTS SUBMITTED FROM COUNTY DEPARTMENTS, BOARDS AND AUTHORITIES

MOTION

Commissioner Powers made the motion to accept monthly reports as submitted from the county departments and authorities. Commissioner Swift seconded the motion. 5-0 vote.

CHAIRMAN FRY CALLED FOR REPORTS FROM COMMISSIONERS, DEPARTMENTS AND COMMITTEES-COUNTY MANAGER REPORT

County Manager Marro was not present at this meeting.

CHAIRMAN FRY CALLED FOR REPORTS FROM COMMISSIONERS, DEPARTMENT AND COMMITTEES-COMMISSIONERS REPORT

District 1- Commissioner Willis requested a budget workshop be held on September 3, 2008 at 4:45 pm.

Commissioner Willis then asked that Mr. Harvey Booker be allowed to speak. Mr. Booker is with the Boys and Girls Club of Pike County. Mr. Booker stated that the State Boys and Girls Club gives about 1/2 of the \$27,000.00 needed and the church donates some money. Mr. Booker said that \$35,000.00 is still needed for the Club and is asking local government for \$15,000.00. He also asked about grants that can be applied for under the county's umbrella. Chairman Fry said that this will be discussed at a budget workshop.

District 2- Commissioner Swift had no report.

District 3-Commissioner Powers had no report.

District 4-Commissioner Garner asked where the county is with the Shaun Shoats issue, saying that at a previous meeting it was decided that charges were to be brought against Shoats. County Attorney Rob Morton said that the information has been turned

over to the District Attorney.

Mr. Garner also asked about the tree that was removed at Public Works by Dunn's Tree Service. Commissioner Garner said that no bill has been turned in yet for payment. Todd Goolsby, Public Works Director, said that a requisition had been turned in and signed and that he will resubmit the requisition for payment.

Chairman Fry had nothing to report.

**CHAIRMAN FRY CALLED FOR REPORTS FROM COMMISSIONERS,
DEPARTMENT AND COMMITTEES-COUNTY ATTORNEY REPORT**

County Attorney Morton said that with reference to drug seizures and forfeitures, the county is in compliance. This money is to be held in a separate account and to be used at the discretion of the chief officer of local law enforcement. Commissioner Swift said that an audit was just done and that the fees collected are listed. Commissioner Garner said that the cash balance was \$49,000.00 and that he just wanted to know how much money was there.

Chairman Fry also mentioned that the State of Georgia had awarded a \$500,000.00 CDBG grant jointly with the City of Concord and Pike County. The grant recipient workshop will be September 15 and 16, 2008 in Savannah.

**CHAIRMAN FRY CALLED FOR EXECUTIVE SESSION-PERSONNEL, PLANNING
AND DEVELOPMENT PURSUANT TO O.C.G.A. § 50-14-3(6)**

MOTION

Commissioner Powers made the motion to exit Regular Session and enter into Executive Session for the purpose of Personnel-Planning and Development pursuant to O.C.G.A. § 50-14-3(6) at 7:14 pm. Commissioner Willis seconded the motion. 5-0 vote.

MOTION

Commissioner Powers made the motion to exit Executive Session and re-enter Open Session. Commissioner Willis seconded the motion. 5-0 vote.

CHAIRMAN FRY CALLED FOR UNFINISHED BUSINESS

A. First Reading of the Water Ordinance. County Attorney Morton presented the commissioners with the proposed water ordinance. Commissioner Garner asked for a definition of subdivision. Commissioner Swift said that there were many gray areas in the ordinance. Commissioner Garner said that a lot of people had intentions of hooking on but changed their minds because of bad service. County Attorney Morton suggested that a workshop on this issue be scheduled. Commissioner Swift asked when this was first presented to the Board of Commissioners. Mr. Morton said November 2006.

B. Appoint one (1) member to the Regional Water Authority. The only application received was from Tommy Burnsed and the commissioners suggested re-advertising for this.

MOTION

Commissioner Garner made the motion to re-advertise for applicants for nomination to the Regional Water Planning Council. Commissioner Willis seconded the motion. 5-0 vote.

C. Appoint one (1) member to the Board of Family and Children Services. Applications were received from Christopher Allen and Forrest Sanders.

MOTION

Commissioner Willis made the motion to appoint Ed Sanders to the DFACS vacancy. Commissioner Powers seconded it. 5-0 vote.

D. Resolution related to the dedication of county roads in memory of Trooper Tony Lumley and Donnie Dickens. County Attorney Morton presented a resolution to the Board for the renaming of county roads for Trooper Lumley and Donnie Dickens. Per Morton, Howard Rawlins had approached him requesting that part of Hwy 19 be named for this father, DB Rawlins.

MOTION

Commissioner Garner made the motion to sign the resolution as written (2008 Resolution endorsing proposed road dedication for Donnie Dickens and Trooper Tony M. Lumley). Commissioner Powers seconded the motion. 5-0 vote.

CHAIRMAN FRY CALLED FOR NEW BUSINESS

A. Billy Watson, District 4 EMS to present 6 AED's to the Pike County Fire Department. Billy Watson is from District 4 EMA in LaGrange, GA. These AED's were purchased with a grant and are to go on the new fire trucks. Jim Totten and Darrell Riggins had asked District 4 for the grant. The cost of each AED is \$1,200.00.

B. Discussion of purchase/lease of copier/scanner for commissioner's office. Sean Townsend had obtained quotes on a copier from M&M and Federal Graphics.

MOTION

Commissioner Garner made the motion to award the bid to Federal Graphics. Commissioner Powers seconded the motion. 5-0 vote.

C. Discussion of hiring a file clerk for the Board of Commissioners office through a temporary service. Chairman Fry said that they could approve the funding for the hiring of a temporary to perform the duties of a file clerk for the commissioners office. That's as far as the Board can go on the hiring and firing of someone that works for a separate department.

MOTION

Commissioner Garner made the motion to approve the funding for the hiring of a temporary to perform the duties of a file clerk in the Board of Commissioners office. Commissioner Willis seconded the motion. 5-0 vote.

D. Discussion of hiring and Administrative Assistant for the Planning and Development office through a temporary service. Chairman Fry said that this is the same situation as the hiring of a file clerk and preferred that this be deferred to the county manager.

MOTION

Commissioner Powers made the motion to defer item D. to the county manager, Commissioner Willis seconded the motion. 5-0 vote.

E. Appoint one (1) member to the Library Board. Chairman Fry read the applications from:

J. A. Morrison
Tami Teachout
Paul Faulds

MOTION

Commissioner Garner made the motion to appoint J.A.Morrison to the Library Board. Commissioner Powers seconded the motion. 3-2 vote with Commissioners Swift and Willis opposed.

F. Discussion of proposed annexation by the City of Concord. Chairman Fry said that the Commissioners had maps of the proposed annexation. Chairman Fry said that the parcel in question bisects the one long triangular shaped parcel and the City is trying to bring that parcel into the city. This area is bounded on one side by the road and on the other side by the abandoned railroad tracks. Commissioner Swift asked what that land would be used for. County Attorney Rob Morton said that they didn't need to specify that at this time. Mr. Morton said that the application referenced First Bank of Pike. Commissioner Garner asked if they are following the requirements. Mr. Morton said that the Board has a right and opportunity to object to any land use issues under the new annexation laws. The county will have an opportunity to review this at a later time. Mr. Morton said that the City of Concord was informing Pike County of this annexation pursuant to Georgia Law. Another notice of the intended zoning use will come to the Board in the future.

G Discussion and First Reading of the 2008 Advisory Task Force Procedures For Recommending Proposed Revisions and Amendments to the Pike County Code" County Attorney Morton said that the proposed amendment was provided to the commissioners in their packets for this meeting. This gives a format to follow related to the proposed amendments or policies that the CATF is recommending. This will make the process more efficient. Chairman Fry said that he understood that this is because of the frustration on the part of the CATF as they have worked hard on issues in the past the their work has never gotten to the Board. The CATF had been told in the past that items had been turned over to the Board when in fact they had not been. Commissioner Garner wanted to be sure that the recommendations do come before the Board of Commissioners. Mr. Morton said that this amendment gives a procedure.

MOTION

Commissioner Willis made the motion to declare the First Reading of the 2008 Advisory Task Force Procedures for Recommending Proposed Revisions and Amendments to the Pike County Code. Commissioner Powers seconded the motion. 4-1 vote with Commissioner Garner opposed.

H. FY 2008 Financial Budget Resolution #5. Chairman Fry said that this was to amend the transfer station recycling budget from the county's general fund to the sanitation fund in accordance to state law O.C.G.A. § 36-81-3.

MOTION

Commissioner Swift made the motion for Budget Amendment #5 to move from the accounts 100 to 540 the amounts from the Transfer Station Recycling Budget. Commissioner Powers seconded the motion. 5-0 vote.

I. Karen Brown, IDA Executive Director to discuss proposed industrial expansion. Ms. Brown asked that permitting fees be waived for Yancey Packaging. Yancey will be doing a more than 20,000 sq. foot expansion to their current facility and increase jobs by 26 additional employees. The capital investment to the county will be more than two million dollars. Chairman Fry said that some items can be waived but not all. Item #1 for \$451.00 and item #3 for \$300.00 can be waived. Ms. Brown said that she wanted this to be a good will measure.

MOTION

Commissioner Garner made the motion to waive items #1 and #3 (Request to waive permitting fees for Yancey Packaging Expansion Project). Commissioner Powers seconded the motion. 5-0 vote.

J. Discussion of taking bids for the inmate work detail. Commissioner Garner said that a lot of time the work detail wasn't working and suggested that this be bid out.

Per Commissioner Garner, Lamar County is moving in a mobile construction crew. He also suggested checking with Spalding County. It was mentioned that the county manager needed to contact the state on this. Mr. Morton said that Mr. Marro had contacted the state and was told that there was a long waiting list.

MOTION

Commissioner Swift made the motion to take bids for inmate work detail. Commissioner Willis seconded the motion. 5-0 vote.

K. County health insurance motion of intent. Matt Bidwell needed a motion of intent in order to move forward with the county's insurance. This had been discussed at a budget workshop but not formal motion had been made.

MOTION

Commissioner Garner made the motion to approve the 85/18 split (with changes). Commissioner Powers seconded the motion. 5-0 vote.

At this time, the Board continued the Public Hearing portion of the meeting.

REZ 08-02: Mike Grant has requested to rezone 6.19 acres of land from C-1 Neighborhood Commercial and R-15, Single Family Residential to C-2, General Commercial. The property is located at the northwester intersection of U.S. Highway 19 and Brookstone Drive in Land Lot 62 of the 2nd Land District of Pike County and identified on Tax Maps 076-101, 076-2010 and 076-218. Newton Galloway represented Mike Grant at this meeting. Mr. Galloway said that the rezoning application does not solve the issue of outdoor recreation even if the rezoning was approved. Commissioner Garner asked about the Planning Commission's contingencies #1-4. Mr. Galloway said to just approve the rezoning then work that out at the special exception. Commissioner Swift suggested C-1 with no contingencies. Mr. Galloway asked for reasonable use of what is already out there. He also said that all they want is to get this issue resolved.

Chairman Fry opened the public hearing portion of REZ 08-02.

Citizens speaking in favor of REZ 08-02:

Margie Trammell said that she wanted a compromise and a win/win deal.

Gerald Floyd stated that he is a resident of Jonesboro but that his parents lived on the Pike/Lamar County line and said that he'd like to move to this area. He commutes four times per week to Centerfield because his child learns baseball there. Mr. Floyd stated that there are 1900 travel baseball teams now in Georgia and that Pike County kids have to go to Fayette County to play. He stated that the negativity of the situation has kept kids away from Centerfield. He stated that Mike Grant is willing and loves to teach baseball.

John Morrison said that he sits on the Planning Commission and that he wants it zoned C-1 (Neighborhood Commercial). C-2 puts spots of C-2 within a C-1 area. Morrison said to put an end to this and move on.

Brent Taylor said that Margie Trammell had said everything that he had wanted to say and agreed with John Morrison that this needs to be resolved.

Becky Watts said that this issue has gone on long enough. Either zone C-1 or C-2. If this is zoned C-2, Watts asked that verbal permission be given for Mike Grant to move forward.

Citizen speaking in opposition to REZ 08-02:

Billy Paul said that his subdivision is being destroyed. Mr. Paul said that Mr. Grant intends to put in a second ball field. He said that he was sorry that children wanted to play ball but this was ruining his neighborhood. He said that he wanted resolution and wanted a guarantee that there would not be a second ball field.

Jim Rao said that his house is 200-300 yards from the ball field and is opposed to the zoning change. He mentioned broken covenants. He said that he moved to Pike County eight years ago for peace and quiet. He questioned the sewerage limits, lighting, noise and asked who will enforce the lighting ordinance. Mr. Rao said that he didn't know what Mike Grant's intentions were but said that Mr. Grant builds businesses and then sells them. He's worried about this being zoned C-2.

Ann Pitts lives on Brookstone Way, has medical issues and looks forward to peace and quiet. She opposed C-1 and C-2.

Vernon Gray said that he didn't make any money off the sale of his house. He said that he never signed off for the ball field, that the builder had signed for him.

Chairman Fry closed the public hearing portion of REZ 08-02.

Mr. Morton said that in May 2003, the Board amended the code so that special exceptions may be considered. The intended purpose of C-1 is that the activity serves the neighborhood.

MOTION

Commissioner Swift made the motion to remain C-1 with outdoor recreation a permitted use and to amend the business license to show accordingly. Commissioner Garner seconded the motion for discussion purposes. This motion was rescinded, therefore no vote was taken.

MOTION

Commissioner Garner made the motion to exit Open Session and enter into Executive Session for the purposes of Pending/Potential Litigation pursuant to O.C.G.A. § 50-14-2(1) at 9:20 PM. Commissioner Willis seconded the motion. 5-0 vote.

MOTION

Commissioner Swift made the motion to exit Executive Session and re-enter Regular Session at 9:42 pm. Commissioner Garner seconded the motion. 5-0 vote.

As a result of Executive Session:

MOTION

Commissioner Swift made the motion to consider a motion in the context of the application REZ 08-02 to rezone the entire parcel submitted with the application as C-1; that the outdoor recreation use be deemed as an accessory use as previously determined by your former zoning administrator Wendell Becker. Commissioner Powers seconded the motion. 4-1 vote with Chairman Fry opposed.

CHAIRMAN FRY CALLED FOR PUBLIC COMMENT-None

MOTION

Commissioner Powers made the motion to adjourn at 9:46 pm. Commissioner Garner seconded the motion. 5-0 vote.

ATTEST:

Steve Marro
County Manager